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July 20, 2018

Via Electronic Filing

The Honorable Magistrate Judge Katherine Polk Failla
U.S. District Court Southern District of New York
500 Pearl St
New York, NY 10007

Re: *Hugo Ortega Hernandez et al v. Muzzarella Inc. et al* - Request for
Adjournment
Case No.: 1:17-cv-06164

Dear Honorable Judge Failla:

This law firm has recently been retained by the Defendants Muzzarella Inc., John Russo, and Anthony Muzzarella (the “Defendants”) in the above-referenced action.

Pursuant to Rule 2(A) and 2(E) of Your Honor’s Individual Motion Practices, this letter respectfully serves as a request adjourn the discovery deadline currently scheduled for July 23, 2018. This is the Defendants’ first request for an adjournment. The suggested new discovery deadline date is August 23, 2018. This request is made on consent of opposing counsel.

Lastly, this letter respectfully serves as a request to adjourn the pretrial conference currently scheduled for August 2, 2018 at 3:00 p.m. to a date and time set by Your Honor on or around September 2, 2018.

The basis of both requests is the Defendants and the undersigned counsel, who has recently been engaged in this matter, need additional time to gather relevant financial information and business records that are essential to the facilitation of a meaningful pretrial conference. This is the Defendants’ first request for an adjournment. This request is also made on consent of opposing counsel.

We will be filing our Notice of Appearance, and Stipulation and Order of Substitution of Counsel shortly. However, out of an abundance of caution, the undersigned thought it would be prudent to respectfully request an adjournment and extension at this juncture.

Thus, the Defendants respectfully request that the Court extend the fact discovery and deposition deadline of July 23, 2018 through and including August 23, 2018, and adjourn the pretrial conference to a date and time set by Your Honor on or around September 2, 2018. The requested extension and adjournment would not affect any other scheduled dates.

Thank you, in advance, for your time and attention.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Joshua D. Levin-Epstein

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